

P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Dworschak et al.)
)
Application No.:)
)
Filed: Herewith)
)
For: **MEDICAL INSTRUMENT**)

MAIL STOP PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail (No. EV 129898211 US) addressed to MAIL STOP PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 29, 2004.

By: Carol Prentice
Carol Prentice

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with 37 C.F.R. §1.56, Applicants wish to call the attention of the Examiner to the following references:

U.S. PATENTS:

<u>Patent No.</u>	<u>Patentee</u>	<u>Date of Issue</u>
3,735,763	Shannon et al.	May 29, 1973
5,316,512	E11	May 31, 1994

FOREIGN PATENT DOCUMENTS:

<u>Country</u>	<u>No.</u>	<u>Date of Publication</u>
France	760.671	Feb 28, 1934
Germany	297 08 218	Jul 10, 1997
Germany	200 06 450	Sep 21, 2000

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Dworschak et al.
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The references listed above were cited by the International Examiner in the Search Report (copy enclosed) of Applicants' counterpart international patent application no. PCT/EP02/08495 (MPEP §2001.06(a)).

OTHER U.S. PATENTS:

<u>Patent No.</u>	<u>Patentee</u>	<u>Date of Issue</u>
3,302,648	Nelson	Feb 07, 1967
3,867,944	Samuels	Feb 25, 1975
4,662,372	Sharkany et al.	May 05, 1987

OTHER FOREIGN PATENT DOCUMENTS:

<u>Country</u>	<u>No.</u>	<u>Date of Publication</u>
Germany	1 831 696	May 25, 1961
Germany	2 127 641	Jun 03, 1971
Germany	25 11 782	Sep 25, 1975
Great Britain	2 047 791	Dec 03, 1980
Germany	81 11 068	Apr 11, 1981
Germany	31 39 488	Apr 21, 1983
EPO	0 444 372	Sep 04, 1991
Germany	93 18 816	Mar 10, 1994
Germany	43 39 992	Mar 02, 1995

The references listed above were cited by the German Examiner in Applicants' corresponding German patent application 101 38 394.0 (MPEP §2001.06(a)).

English language abstracts are attached to EP 0 444 372 and DE 43 39 992.

Information Disclosure Statement
Dworschak et al.
Page 3

DE 93 18 816 has an English language counterpart, namely
U.S. Patent No. 5,649,958.

DE 31 39 488 has an English language counterpart, namely
U.S. Patent No. 4,484,581.

DE 25 11 782 has an English language counterpart, namely
U.S. Patent No. 3,921,640.

DE 2 127 641 has an English language counterpart, namely
U.S. Patent No. 3,670,415.

OTHER U.S. PATENTS:

<u>Patent No.</u>	<u>Patentee</u>	<u>Date of Issue</u>
3,670,415	Rose	Jun 20, 1972
3,921,640	Freeborn	Nov 25, 1975
4,484,581	Martin et al.	Nov 27, 1984
5,649,958	Grimm et al.	Jul 22, 1997

Copies of the above-listed foreign references are enclosed,
together with a completed form PTO-1449.

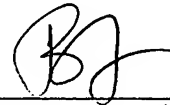
Consideration of these references by the Examiner is
respectfully requested.

The submission of the listed documents is not intended as an
admission that any such document constitutes prior art against
the claims of the present application. Applicant does not waive
any right to take any action that would be appropriate to

Information Disclosure Statement
Dworschak et al.
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antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,



Date: January 29, 2004
ATTORNEY DOCKET NO.: HOE-798

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FORM PTO-1449				ATTY. DOCKET NO.: HOE-798		SERIAL NO.:	
<u>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</u>				APPLICANT(S): Dworschak et al.			
				FILING DATE: Herewith		GROUP:	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA	3,735,763	05/29/1973	Shannon et al.			
	AB	5,316,512	05/31/1994	Ell			
	AC	3,302,648	02/07/1967	Nelson			
	AD	3,867,944	02/25/1975	Samuels			
	AE	4,662,372	05/05/1987	Sharkany et al.			
	AF	3,670,415	06/20/1972	Rose			
	AG	3,921,640	11/25/1975	Freeborn			
	AH	4,484,581	11/27/1984	Martin et al.			
	AI	5,649,958	07/22/1997	Grimm et al.			
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANS- LATION YES NO
	AJ	760.671	02/28/1934	France			
	AK	297 08 218	07/10/1997	Germany			
	AL	200 06 450	09/21/2000	Germany			
	AM	1 831 696	05/25/1961	Germany			
	AN	2 127 641	06/03/1971	Germany			
	AO	25 11 782	09/25/1975	Germany			
	AP	2 047 791	12/03/1980	Great Britain			
	AQ	81 11 068	04/11/1981	Germany			
	AR	31 39 488	04/21/1983	Germany			
	AS	0 444 372	09/04/1991	EPO			
	AT	93 18 816	03/10/1994	Germany			
	AU	43 39 992	03/02/1995	Germany			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)							
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							